

SERVING AGRICULTURE SINCE 1906

May 10, 2006

Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696

Department of Ecology
Water Quality Program
May 17 2006

Re: Secondary Permittee Wastewater / Stormwater Discharge Permits

Greetings:

I am writing on behalf of the Sunnyside Valley Irrigation District (SVID) and the Sunnyside Division Board of Control (SDBOC). I am the Secretary / Manager of SVID which is the operating agent for the SDBOC and is the largest of the nine entities comprising the SDBOC. This organization serves an area of nearly 100,000 acres stretching from Parker to Benton City on the north side of the Yakima River and from Mabton to the Prosser on the south side of the river. Irrigation and drainage service is provided to three irrigation districts, two ditch companies, and the cities and towns of Zillah, Granger, Sunnyside, Grandview and Prosser.

SDBOC has developed a comprehensive water quality program and a stormwater management plan can be helpful to the overall goals of our water quality program. The overriding concern is with the regulations as written in S1(A)(3.) of the Draft Phase II Permit for Eastern Washington which states in part,

“...the requirements of this permit are applicable and shall be implemented *throughout* (emphasis added) the land areas served by and under the effective control of the entity.”

We recently became aware that SVID / SDBOC might be required to apply for a Stormwater Discharge Permit due to the City of Sunnyside's stormwater discharging into SDBOC facilities. The fact that SVID / SDBOC meets the definition of a “regulated small MS4” is a bit of a misnomer. The Sunnyside Division extends some 70 miles through the lower Yakima Valley from Parker to Benton City. For this large organization, the nexus for the stormwater permit requirements is through the City of Sunnyside with a land base comprising 4% of the land in the Sunnyside Division. The impacted area could be even larger considering the fact the Roza Irrigation District serving 72,000 acres has a

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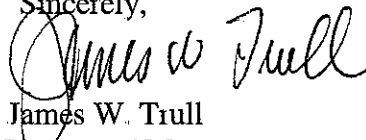
joint obligation with SVID/SDBOC for the operation and maintenance of the drains into which the city's stormwater discharges.

The purpose of the permit is to control the stormwater runoff generated within the City of Sunnyside, therefore the permit coverage should be limited to that area. Agricultural runoff is exempt from NPDES requirements, so coverage for the entire SVID/SDBOC service area will create some unnecessary legal and political problems.

Discussions are already underway between the City of Sunnyside and Sunnyside Valley Irrigation District to better understand how the two entities can work cooperatively on preparing and implementing a stormwater management plan for the footprint of the City. We ask that the Department of Ecology to exempt SVID / SDBOC for lands outside the Sunnyside city limits from coverage for this permit.

Thank you for the opportunity to comment. I would be happy to respond to any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Trull", written over a horizontal line.

James W. Trull
Secretary / Manager

c: Tom Monroe, Operations Manager – Roza Irrigation District
Larry Martin, Legal Counsel to SVID